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6/29/99

Response under 37 C.F.R. § 1.116 -  
Expedited Procedure -  
Examining Group 2743  
PATENT  
ATTORNEY DOCKET NO.: 041464-5018

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Tomohiro KAWATA et al. )  
Application No.: 08/931,615 ) BOX AF  
Filed: September 16, 1997 ) Group Art Unit: 2743  
For: SPEAKER UNIT ) Examiner: H. Le  
Assistant Commissioner for Patents )  
Washington, D.C. 20231 )

Received  
APR 21 1999  
Group 2700

Sir:

**AMENDMENT UNDER 37 C.F.R. § 1.116**

*Do not enter  
5/3/99*

In response to the Final Office Action dated November 25, 1998 (Paper No. 6) and pursuant to 37 C.F.R. § 1.116, the period for response to which has been extended by two months through April 26, 1999 (April 25, 1999 being a Sunday) by the attached petition for an extension of time and payment of an appropriate fee, entry of the following amendments is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal:

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Response under 37 C.F.R. § 1.116 -

Expedited Procedure -

Examining Group 2743

PATENT

ATTORNEY DOCKET NO.: 041464-5018

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In re Application of:

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Application No.: 08/931,615

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Assistant Commissioner for Patents

Washington, D.C. 20231

Received  
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Group 2700  
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APR 21 1999  
Group 2700

**AMENDMENT UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment responding to the Final Office Action dated November 25, 1998
2. Additional papers enclosed:

Drawings:  Formal  Informal (Corrections, FIG. 3 highlighted in red)  
 Information Disclosure Statement  
 Form PTO-1449, \_\_\_ references included  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

**2. EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	380.00	190.00
<input type="checkbox"/> three months	870.00	435.00
<input type="checkbox"/> four months	1,360.00	680.00

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APR 21 1989  
Group 2700*

Extension of time fee due with this request: \$380.00

If an extension of time is required, please consider this a Petition therefor.

An extension for \_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_ is deducted from the total fee due for the total months of extension now requested.

### 3. Fee Calculation

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims	11	minus	20	0	_ x \$18.00 each =	+\$0.00
Independent Claims	3	minus	3	0	_ x \$78.00 each =	+\$0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$ 260.00	+\$0.00
						<b>SUB-TOTAL = \$ 0.00</b>
						<b>Reduction by 1/2 for filing by a small entity</b> <b>-\$ 0.00</b>
						<b>TOTAL FEE = \$ 0.00</b>

4. Fee Payment

No fee is to be paid at this time.

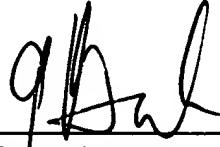
A check in the amount of \$380.00 representing fee for one month extension of time. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

The Commissioner is hereby authorized to charge any fees including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: \_\_\_\_\_

  
George S. Bardmesser  
Reg. No. 44,020

Dated: April 21, 1999

**MORGAN, LEWIS & BOCKIUS LLP**  
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GSB/am